

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JUNE 27, 2007

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MI 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR
MICHAEL D. KOEHS, CLERK
MARIE MALBURG, TREASURER
DINO F. BUCCI, JR, TRUSTEE
JANET DUNN, TRUSTEE
ROGER KRZEMINSKI, TRUSTEE
NANCY NEVERS, TRUSTEE

ABSENT: NONE

ALSO PRESENT: Lawrence Dloski, Legal Counsel
Jerome Schmeiser, Planning Consultant
James VanTiflin, Engineering Consultant
(Additional attendance on file at the Clerk's Office)

Supervisor BRENNAN called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

ROLL CALL

1. Clerk KOEHS called the roll and the Board of Trustees was present.

APPROVAL OF THE AGENDA

2. The agenda was reviewed and items 10a, 10b and 10c were added.

MOTION by DUNN seconded by BUCCI to approve the agenda as amended.

MOTION carried.

APPROVAL OF THE BILLS

3. Both bill runs were reviewed and there were no additions, deletions or corrections.

MOTION by NEVERS seconded by KRZEMINSKI to approve both bill runs as presented.

MOTION carried.

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APPROVAL OF THE PREVIOUS MEETING MINUTES

4. The minutes of the previous meetings held on June 13, 2007 and June 20, 2007 were reviewed and no additions, corrections or deletions were made.

MOTION by DUNN seconded by MALBURG to approve the minutes of the meeting of June 13, 2007 as presented.

MOTION carried.

MOTION by KRZEMINSKI seconded by BUCCI to approve the minutes of the meeting of June 20, 2007 as presented.

MOTION carried.

5. **Consent Agenda Items:**

A. Clerk's Department:

1. **Request for Wall Sign Bond Release;** Soccer Plus, Stratford Plaza, Permanent Parcel 08-23-100-010.

B. Water/Sewer Dept.

1. **Easement Encroachment:** Jennie Lee Robison & Kelly John Fisher 19461 Potomac Drive, Macomb, MI, 48044, Lot 5, Twin Rivers Subdivision.
2. **Easement Encroachment:** Lorne J. and Diana L. Lovelace, 20754 Summerfield Drive, Macomb, MI, 48044. Lot 4, Summerfield Estates Subdivision No. 1.
3. **Easement Encroachment:** Cornerstone Land Development & Lassale Construction, Inc. Salvatore A. Biondo, President and Paul Richard Altevena & Sherri Mohr Altevena, 49345 Clinton Terrace Drive. Lot 33, Middlecreek Estates Subdivision No. 1.
4. **Easement Encroachment:** Michael & Deborah Stefaniak, 47815 Daisy Drive, Macomb, MI, 48044, Lot 65, Summerfield Estates Subdivision No. 1.
5. **Easement Encroachment:** Leon Sinishtaj & Luljeta Sinishtaj, 15531 Mountainside Drive, Macomb, MI, 48042, Lot 158, Deerwood Subdivision No. 3.

Supervisor BRENNAN reviewed this matter and asked if any of the Board members wanted to remove any item from the Consent Agenda and place it for discussion on the regular agenda.

MOTION by MALBURG seconded by KRZEMINSKI to approve the consent agenda as prepared.

MOTION carried.

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6. **Public Comments**

Mr. Chuck Champagne inquired about the proposed Fire Tower and was informed that the Board had only approved the bid process and not the actual tower at this time.

PUBLIC HEARINGS

7. **Public Hearing;** Proposed Creation of an Industrial Development District; Unit 12, Macomb Industrial Park.

Supervisor BRENNAN opened the public hearing at 7:05 p.m. Mr. Eric Flinn, attorney for the petitioner, explained their request and indicated that their business was really growing and that this would bring more jobs into Macomb Township.

MOTION by DUNN seconded by KRZEMINSKI to adopt the resolution to establish the Industrial Development District for Unit 12 at Macomb Industrial Park as follows:

The following preamble and resolution were offered by Member DUNN and supported by Member KRZEMINSKI.

WHEREAS, HB Land Leasing, LLC, a Michigan corporation, has petitioned the Macomb Township Board for the creation of an Industrial Development District pursuant to the provisions of Act 198, Public Acts of 1974, as amended, within the unincorporated area of the Township, 51757 Industrial; and,

WHEREAS, the Township of Macomb is a local governmental unit which levies ad valorem taxes at a rate which, when taken together with rates of ad valorem taxes levied by other taxing authorities which levy taxes within the Township of Macomb, equals or exceeds Thirty and 00/100 Dollars (\$30.00) for each One Thousand and 00/100 Dollars (\$1,000.00) of state equalized valuation, and thus qualifies as a local governmental unit empowered to establish an Industrial Development District pursuant to Act 198, supra; and,

WHEREAS, the Township Board has established June 27, 2007, at 7:00 P.M. as the date and time and the Township Offices located at 54111 – Broughton Road, Macomb, Michigan 48042, as the place for holding of a public hearing on the question of whether an Industrial Development District should be established pursuant to the petition of HB Land Leasing, LLC.; and,

WHEREAS, the Township Board has given written notice of said hearing by certified mail to the owner of all real property within the proposed Industrial Development District,

WHEREAS, the Township Board has heard the comments of the owners of said land and owners of all real property within the proposed Industrial Development District who have elected to communicate with the Township

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Board concerning the creation of an Industrial Development District, as herein contemplated; and,

WHEREAS, the Township Board has determined that the request for establishment of the Industrial Development District is to allow HB Land Leasing, LLC to apply for an Industrial Facilities Exemption Certificate for a Speculative Building which has been constructed on the land described below;

NOW, THEREFORE, BE IT RESOLVED by the Township Board of the Township of Macomb, Macomb County, Michigan:

1. That the Township Board hereby deems the establishment of an Industrial District as proposed by HB Land Leasing, LLC. to be beneficial to the residents of the Township of Macomb, and further, said District will result in increased employment and an eventual and substantial increase in state equalized valuation of the Township of Macomb;

2. That an Industrial Development District is hereby established pursuant to the provisions of Act 198, Public Acts of 1974, as amended, the boundaries of said district being solely confined to the following described lands:

Unit 12, "Macomb Industrial Park Condominium", according to the Master Deed recorded in Liber 4828, Pages 257 through 304, both inclusive, and the First Amendment to the Master Deed recorded in Liber 6574, pages 174 through 179, both inclusive, and as amended by the Second Amendment to the Master Deed recorded in Liber 6925, pages 747 through 753, both inclusive, and as amended by the Third Amendment to the Master Deed recorded in Liber 9683, pages 681 through 688, both inclusive, Fourth Amendment to the Master Deed recorded in Liber 14184, pages 621 through 628, both inclusive, Macomb County Records, and designated as Macomb County Condominium Subdivision Plan No. 344, together with rights in general common elements and limited common elements, as set forth in the above described Master Deed and as described in Act 59 of the Public Acts of 1978, as amended. Permanent Parcel No. 08-18-326-012

AYES: DUNN, KRZEMINSKI, BUCCI, NEVERS, MALBURG, KOEHS,
BRENNAN

NAYS: NONE

ABSENT: NONE

Resolution declared adopted. MOTION carried.

NEW BUSINESS

8. **Easement Encroachment:** Michael and Darlene Piete, 16948 Mary Wood Drive, Huntington Woods Subdivision.

Supervisor BRENNAN reviewed this matter along with Mr. David Koss, Water and Sewer Superintendent, and Mr. James VanTiflin, Township Engineer, and they

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restated the township policy in not allowing structures to be placed directly over any utilities in the ground. They recommended that a six foot (6') encroachment into the easement be granted, but they recommended also that the petitioners request for a thirteen foot (13') encroachment be denied.

Mr. Michael Piete and Ms. Darlene Piete were present as the petitioners and spoke about their reasons for this request.

MOTION by KRZEMINSKI seconded by DUNN to authorize an easement encroachment up to six feet (6') into the rear yard easement at 16948 Mary Wood Drive.

AYES: KRZEMINSKI, DUNN, BUCCI, NEVERS, MALBURG, KOEHS, BRENNAN
NAYS: NONE
ABSENT: NONE

MOTION carried.

PARKS AND RECREATION

9. **Request Authorization to Initiate the Roof Replacement Project;** Senior Center on 23 Mile Road. *(Tabled from 4/25/07).*

Mr. Salvatore Dicaro, Parks and Recreation Director, reviewed this matter and stated that both portions of the building will be given a new 30 year roof. He also indicated that this project will be funded by Community Development Block Grant funds. He further stated his recommendation for approval.

MOTION by BUCCI seconded by KOEHS to approve the request and authorize the work to be awarded to Newton Crane Roofing Company in the amount of one hundred sixty one thousand fifty two dollars (\$161,052.00)

MOTION carried.

BOARD COMMENTS

10. Supervisor Comments:

- a. **Request to offer employment for the Fire Department RMS Supervisor position.**

John Brogowicz, Human Resource Director, reviewed this matter and stated that it is his recommendation that this position be offered to Ms. Sara Buscaino.

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MOTION by KRZEMINSKI seconded by KOEHS to approve the request to offer employment for the Fire Department RMS Supervisor position to Sara Buscaino.

MOTION carried.

- b. **Request to adopt the General Appropriations Act and approve the budget.**

Supervisor BRENNAN reviewed this matter and read the proposed allotments into the record. He further stated his recommendation for approval.

MOTION by DUNN seconded by KOEHS to approve the request to adopt the General Appropriations Act and approve the budget as follows:

GENERAL APPROPRIATIONS ACT

An Act to provide for the adoption of a budget proposed by the Township Supervisor containing estimates of proposed revenues, expenditures, and to provide for the levy of taxes for the fiscal year beginning July 1, 2007 and ending June 30, 2008 in accordance with Michigan Public Act 621 of 1978.

***Be it resolved* by the Board of Trustees, Township of Macomb, County of Macomb, State of Michigan.**

Section 1. That for the expenses of Township Government and its activities for the fiscal year, beginning July 1, 2007 and ending June 30, 2008 the following Sections are hereby appropriated:

Section 2. That for the said fiscal year there is hereby appropriated out of the General Fund \$9,573,861.00

Section 3. That for the said fiscal year there is hereby appropriated out of the Municipal Street Fund \$100,500.00

Section 4. That for the said fiscal year there is hereby appropriated out of the Fire Fund-

**Operations Fund \$3,928,859.00
Improvement Fund \$1,266,800.00**

Section 5. That for the said fiscal year there is hereby appropriated out of the Parks / Recreation Fund \$4,838,020.00

Section 6. That for the said fiscal year there is hereby appropriated out of the Law Enforcement Fund \$2,929,300.00

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Section 7. That for the said fiscal year there is hereby appropriated out of the Building Authority Construction Fund \$6,060,100.00

Section 8. That for the said fiscal year there is hereby appropriated out of the Fire Retirement Systems Fund \$37,065.00

Section 9. Those amounts budgeted for specific items or purposes and not required to be utilized for such items and purposes may be rebudgeted by the Township Supervisor for other items and purposes within the same funds for which such allocation was originally made.

Section 10. The information summary with respect to the Water and Sewer Funds, while not subject to the budgetary process, is incorporated herein for purposes of information and reference.

Adopted this 27th day of June 2007.

John D. Brennan, Macomb Township Supervisor

Attested, Michael D. Koehs, Macomb Township Clerk

AYES: BUCCI, DUNN, KRZEMINSKI, NEVERS, MALBURG, KOEHS, BRENNAN

NAYS: NONE

ABSENT: NONE

MOTION carried.

c. Request for approval for Water and Sewer work at 24 Mile Road and Romeo Plank Roads.

Supervisor BRENNAN reviewed this matter and stated that this project is in conjunction with the current Water & Sewer project on 24 Mile road, and will save money because the work crews are already on site.

MOTION by KOEHS seconded by BUCCI to approve the Water and Sewer project at 24 Mile Road and Romeo Plank Roads as presented.

AYES: KOEHS, BUCCI, KRZEMINSKI, DUNN, NEVERS, MALBURG, BRENNAN

NAYS: NONE

ABSENT: NONE

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MOTION carried.

- 11. Clerk Comments: None
- 12. Treasurer Comments: None
- 13. Trustees Comments: None

EXECUTIVE SESSION

- 14. **Review of Proposed Consent Judgment; Village Taverna.**

MOTION by KOEHS seconded by DUNN to authorize the Attorney to sign the Consent Judgment as amended.

MOTION carried.

ADJOURNMENT

MOTION by BUCCI seconded by KOEHS to adjourn the Board of Trustees meeting at 8:11 p.m.

MOTION carried.

Respectfully submitted,

John D. Brennan
Macomb Township Supervisor

Michael D. Koebs, CMC
Macomb Township Clerk